

HOUSE BILL No. 1852

DIGEST OF INTRODUCED BILL

Citations Affected: IC 12-7-3; IC 12-8.

Synopsis: Counties and townships to administer welfare. Eliminates participation of the federal and state governments in public assistance programs and transfers all authority for administering public assistance to the executive department of each county and to township trustees. Establishes the state and federal public assistance elimination commission to prepare legislation for consideration by the general assembly, as necessary, to resolve issues related to the transfer of authority. Repeals the statute establishing the office of the secretary of family and social services; family and social services bodies; the family and social services advisory commission; the office of Medicaid policy and planning, and the financial services group.

Effective: Upon passage; July 1, 2002.

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January 26, 1999, read first time and referred to Committee on Ways and Means.



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First Regular Session 111th General Assembly (1999)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1998 General Assembly.

HOUSE BILL No. 1852

A BILL FOR AN ACT to amend the Indiana Code concerning human services.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 12-7-3 IS ADDED TO THE INDIANA CODE AS
2 A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2002]:

4 **Chapter 3. Elimination of Federal and State Participation in**
5 **Public Assistance Programs**

6 **Sec. 1. The general assembly finds that:**

7 (1) public assistance programs, including temporary
8 assistance to needy families, Medicaid, food stamps, and
9 others, were established to provide short term support to
10 individuals in need;

11 (2) the amount of money spent by Indiana state government
12 and the government of the United States to administer
13 programs, including those listed in subdivision (1), has grown
14 significantly in the past four (4) decades;

15 (3) despite substantial increases in expenditures by both the
16 state and federal governments, the reliance of individuals on
17 public assistance programs has increased substantially;

18 (4) approximately twenty (20) years ago in Indiana, decisions



regarding eligibility for public assistance were made by, and the administration of public assistance programs was performed primarily by, county governments and township trustees;

(5) public assistance programs were operated more cost effectively and cost taxpayers much less when operated by county governments and township trustees; and

(6) in order to decrease reliance on public assistance programs and to save the taxpayers of Indiana substantial sums of money, the responsibility for administering these programs should be shifted from the federal and state governments to county governments and township trustees.

Sec. 2. Notwithstanding any other law enacted or amended before July 1, 1999, including any law enacted or amended in the first regular session of the one hundred twelfth general assembly, the state must enable all public assistance programs under this title to be administered at the county and township levels only.

SECTION 2. IC 12-8 IS REPEALED [EFFECTIVE JULY 1, 2002].

SECTION 3. [EFFECTIVE UPON PASSAGE] (a) As used in this SECTION, "commission" refers to the state and federal public assistance elimination commission.

(b) The commission consists of eight (8) members as follows:

(1) Four (4) members of the senate, not more than two (2) of whom may be members of the same political party, to be appointed by the president pro tempore of the senate with the advice of the minority leader of the senate.

(2) Four (4) members of the house of representatives, not more than two (2) of whom may be members of the same political party, to be appointed by the speaker of the house of representatives with the advice of the minority leader of the house of representatives.

(c) A member appointed under this SECTION serves at the pleasure of the appointing authority. If a vacancy exists on the commission, the vacancy shall be filled by the person who made the original appointment.

(d) The chairman of the legislative council shall name the chairperson of the commission. The chairperson of the commission serves at the pleasure of the chairman of the legislative council.

(e) The commission shall meet at least six (6) times each year. The chairperson shall hold the first meeting of the commission before July 31, 1999.

(f) The commission shall prepare legislation for introduction in



the 2000 and 2001 regular sessions of the general assembly, as necessary, to implement IC 12-7-3, as added by this act. This legislation must accomplish at least the following:

(1) Make:

(A) technical corrections; and

(B) changes in references;

to statutes affected by the implementation of this act.

(2) Revise and consolidate the statutes affected by:

(A) the requirements of IC 12-7-3, as added by this act; and

(B) the repeal of IC 12-8 by this act.

(3) Identify the sources and amounts of revenue to distribute to county and township governments to replace lost revenue from the state and federal governments.

(4) Identify the local taxes and fees that a community may raise to address unique local public assistance issues.

(5) Eliminate unneeded state agencies and provide procedures for local communities to address unique local problems without the profusion and layering of a patchwork of governmental units.

(6) Provide for a uniform budget procedure for all political subdivisions to implement for fiscal years after December 31, 2001, that encourages citizen involvement and understanding of the performance and sources of revenue used by the various political subdivisions that serve the community where the citizen resides.

(7) Recommend to the general assembly budgetary controls that encourage and assist county and township governments to limit expenditures to available revenue without tax increases and that do not need frequent legislative revision as local needs change.

(8) Eliminate unneeded state and local agencies, offices, and functions and consolidate functions for the efficient administration of public assistance.

(g) The commission may study any issue related to its responsibilities.

(h) The commission shall operate under the direction of the legislative council. The legislative services agency shall staff the commission. The office of the secretary of family and social services shall assist the commission as directed by the chairperson of the commission.

(i) The commission shall issue:



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(1) an interim report before November 1, 1999, November 1, 2000, and at other times as determined by the legislative council; and

(2) a final report before November 1, 2001.

Copies of each report shall be given to the governor and the legislative council.

(j) Each member of the commission is entitled to receive the same per diem, mileage, and travel allowances paid to members of the general assembly serving on interim study committees established by the legislative council.

(k) This SECTION expires December 31, 2001.

SECTION 4. [EFFECTIVE UPON PASSAGE] (a) If a law is enacted during the first regular session of the one hundred twelfth general assembly that extends the term of the office of the secretary of family and social services and the divisions within that agency beyond July 1, 1999, as stated in IC 12-8, the general assembly may not:

(1) extend the term of these entities beyond December 31, 2001; or

(2) reestablish these entities after December 31, 2001.

(b) This SECTION expires January 1, 2002.

SECTION 5. An emergency is declared for this act.

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